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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,276	02/06/2004	David W. Farchmin	110003.00025.03AB048	8478

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EXAMINER	
PATEL, RAMESH B	

ART UNIT	PAPER NUMBER
2121	

DATE MAILED: 09/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/774,276	FARCHMIN ET AL.	
	Examiner	Art Unit	
	Ramesh B. Patel	2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 February 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-110* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-110* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *See Continuation Sheet*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-110 are presented for examination.

2. The claims and only the claims form the metes and bounds of the invention. "Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969)" (MPEP p 2100-8, c 2, l 45-48; p 2100-9, c 1, l 1-4). The Examiner has full latitude to interpret each claim in the broadest reasonable sense. The Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

Information Disclosure Statement

3. The information disclosure statements (IDS) submitted on 5/10/04, 3/8/25, 5/2/05, 9/6/05, 11/21/05, 2/6/06, 3/23/06 and 7/31/06 are in compliance with the provisions of 37 CFR 1.97. Examiner has noted that the IDS filed 12/20/04 includes all references cited are crossed out or lined through therein are duplicate references and IDS filed 5/2/05 and 3/8/05 also, includes some of the references crossed out or lined

through which are duplicate cited in another IDS. Applicant is suggested to review all references before submitting and avoid submitting duplicate references in IDS to reduce processing Fee and to minimize the processing time and the cost. Accordingly, the information disclosure statements being considered by the examiner.

Claim Objections

4. Claim 51 is objected to because of the following informalities:

Claim 51, line 3 includes "con" should be condition." to correct error by completing word and the claim with period at the end of claim as required.

Applicant is requested to review all claims and make appropriate correction as required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-110 are rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi et al. (US Patent 4,770,841).

As to claims 1, 28, 33, 36, 62, 64, 87 and 90, Takahashi teaches the invention including a method and an apparatus for use with an enterprise operation and at least one processor programmed to perform at least one diagnostic process on the operation and to at least periodically perform at least one summary process on the operation, the method and the apparatus for commencing the at least one summary process comprising: specifying at least one triggering relationship between at least a first enterprise user and the operation that is to initiate the at least one summary process is taught as the remote diagnosing system for manufacturing equipment which diagnosis user's semiconductor manufacturing equipment connected to a piece of diagnostic equipment with at least one diagnostic program which is by a third party through a communication network (see, abstract and figures 1-4 and col. 3, lines 1-35 and col. 7, lines 35-67); determining when the at least one triggering relationship occurs and when the at least one triggering relationship occurs, causing the processor to perform the at least one summary process is taught as the terminal sends data which is requested by the diagnostic equipment for diagnosis and receives a result of diagnosis from the diagnostic equipment (see, abstract and figures 1-2 and col. 3, line 53 to col. 4, line 40 and col. 6, line 43 to col. 7, line 33) and specifying at least a first relative juxtaposition of the operation and a qualified enterprise user that is to initiate the at least one summary process wherein the qualified user is any user that is qualified to use the results of the

at least first summary process; determining when at least one qualified user is in the at least first relative juxtaposition with respect to the operation; and when at least one qualified user is in the at least first relative juxtaposition with respect to the operation, causing the processor to perform the at least one summary process (see, abstract and figures 3 and 11 and col. 10, line 37 to col. 11, line 45 and col. 17, line 57 to col. 18, line 16).

As to claims 2-6 and 65-68, Takahashi teaches the method and the apparatus wherein the at least one summary process includes analyzing the results of the at least one diagnostic process which results in at least one interesting condition, performing another process includes indicating that an interesting condition has occurred and wherein the at least one summary process includes indicating at least a sub-set of the results of the at least one diagnostic process (see, abstract and figures 1-2, col. 7, lines 1-33).

As to claims 7 and 37, 40-41, 44-45 and 63, 69, Takahashi teaches the method and the apparatus wherein the step of indicating includes providing an interface to at least the first user and indicating the at least a sub-set of results to the first user via the interface and identifying includes identifying the enterprise user that is most proximate the operation (abstract and figure 2 and col. 7, lines 35-67).

As to claims 8-10, 50-58 and 70-71, Takahashi teaches the method and the apparatus wherein the triggering relationship also initiates the at least one diagnostic process wherein the at least one summary process includes the steps of analyzing the results of the at least one diagnostic process to identify interesting conditions and indicating that an interesting condition has occurred (see, abstract and figures 1-2, col. 7, lines 1-33 and col. 8, lines 21-65).

As to claims 11-14 and 17-18, Takahashi teaches the method and the apparatus wherein the at least one triggering relationship specifies a first relative juxtaposition of the operation and the first enterprise user and further including the steps of monitoring a period since the last performance of the at least one summary process, performing the at least one summary process at least once every Y hours independent of the occurrence of the at least one triggering relationship and, after the at least one triggering relationship occurs, resetting the period and at least one triggering relationship specifies that the at least one summary process should be performed when the first user and the assembly are in the first relative juxtaposition and when the period since the last performance of the at least one process exceeds X hours; further including the step of, after the at least one summary process has been completed, indicating completion includes providing an indication to at least a first user via transmission from the at least one access point to the WID (see, abstract and figures 1-2 and col. 3, line 44 to col. 4, line 54 and col. 5, line 47 to col. 6, line 19 and col. 10, lines 17-59 and col. 18, lines 10-67).

As to claims 15-16, 19-20, 29-32, 34-35, 38-39, 42-43, 75-81 and 91-97, Takahashi teaches the method and the apparatus wherein the step of determining includes providing an information device to the at least a first user and at least one sensor for sensing location of the information device and determining location of the information device via interaction between the information device and the at least one sensor wherein the step of providing an information device and at least one sensor includes providing a wireless information device (WID) and at least one access point and wherein the step of determining location includes transmitting signals from at least one of the WID and the access point to the other of the WID and the access point and using the transmitted signals to determine location and further including the steps of, when the at least one summary process identifies an interesting condition, performing a function includes indicating the interesting condition to the at least one user via the WID (see, abstract and figures 3 and 11 and col. 10, line 37 to col. 11, line 45 and col. 17, line 57 to col. 18, line 16).

As to claims 21-24, 72-73, 82-85 and 88-89, Takahashi teaches the method and the apparatus wherein a plurality of users use the enterprise, the step of determining including determining if at least one of the enterprise users is in the specified relative juxtaposition to the assembly and, where at least one of the users is in the specified relative juxtaposition, determining if the user in the specified juxtaposition is the first user and, where the user in the specified juxtaposition is the first user, determining that the triggering relationship has occurred and determining if the user in the specified

juxtaposition is characterized by the triggering characteristic set wherein the triggering characteristic set includes qualification to use at least one summary process results and includes availability to examine summary process results and wherein the step of determining further includes accessing a schedule database that indicates the schedules of the enterprise users and determining if the user in the specified relative juxtaposition is currently unoccupied and wherein the processor is also programmed to monitor a period since the last performance of the at least one summary process, perform the at least one summary process at least once every Y hours independent of the occurrence of the at least one triggering relationship and, after the at least one triggering relationship occurs, reset the period and wherein the processor is also programmed to monitor a period since the last performance of the at least one summary process wherein the at least one triggering relationship specifies that the at least one summary process should be performed when the first user and the operation are in the first relative juxtaposition and when the period since the last performance of the at least one process exceeds X hours (see, abstract and figures 1-5, col. 7, lines 1-33 and col. 10, line 37 to col. 11, line 45).

As to claims 25-27, 59-61, 86 and 110, Takahashi teaches the method and the apparatus wherein the operation includes an automated assembly, the operation is a communication network and the summary process is at least one of a batch process, a safety process, a redundancy process and a security process (see, abstract and figures 1-3 and col. 6, lines 18-51).

As to claims 46-49 and 98-109, Takahashi teaches the method and the apparatus wherein the enterprise includes sub-spaces and the operation is within a first sub-space and wherein the step of identifying further includes identifying the one of the enterprise users that is next scheduled to be within the first sub-space and further including the step of amending the schedule of the user that is next scheduled to be within the first sub-space to include an appointment to address the interesting condition wherein the at least one diagnostically interesting condition is one of a malfunction and an unexpected occurrence and wherein the step of selecting includes accessing a schedule database that indicates the schedules of the enterprise users, using the schedule database to identify relative availability of the qualified users and selecting the most available user as the optimal user (see, abstract and figures 1-5 and col. 3, lines 1-55 and col. 10, line 37 to col. 11, line 45 and col. 17, line 57 to col. 18, line 16).

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramesh B. Patel whose telephone number is 571-272-3688. The examiner can normally be reached on M-Th, 6:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571-272-3687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramesh B. Patel
Primary Examiner 9/14/06
Art Unit 2121

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Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :5/10/04, 12/20/04, 3/8/05, 5/2/05, 9/6/05, 11/21/05, 2/6/06, 3/23/06 & 7/31/06.